

EXHIBIT 3

From: [Kevin A. Fritz](#)
To: [Bruno, Matthew](#)
Cc: [Hudson, Esra](#); [Roeser, Stephanie](#); [Gottlieb, Michael](#); [Governski, Meryl Conant](#); [Bender, Kristin](#); [Nathan, Aaron E.](#); [Connolly, Michaela](#); [Taustine, Melissa](#); [Sigrid McCawley](#); [Lindsey Ruff](#); [Andrew Villacastin](#); [cbabcock@jw.com](#); [cbutzer@jw.com](#); [jglover@jw.com](#); [katebolger@dwt.com](#); [samcategumpert@dwt.com](#); [Nicholas Inns](#); [maarenchoksi@quinnemanuel.com](#); [kristintahler@quinnemanuel.com](#); [anthony@umklaw.com](#); [matthew@umklaw.com](#); [Summer Benson](#); [Climaco, Katelyn](#); [Stacey Ashby](#); [Mitch Schuster](#); [Amit Shertzer](#); [Vaneta Birtha](#); [Miles Cooley](#); [Cortni Davis](#); [Bryan Freedman](#); [Jose Perez](#); [Jason Sunshine](#); [Theresa Troupson](#)
Subject: RE: Lively v. Wayfarer Studios LLC, et al., No. 1:24-cv-10049-LJL - 4/24 M&C
Date: Wednesday, April 30, 2025 11:40:43 AM
Attachments: [image002.png](#)
[image003.png](#)

*** EXTERNAL EMAIL ***

Matt:

Please see my responses in red and bold.



Kevin A. Fritz

Partner

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From: Bruno, Matthew <MBruno@manatt.com>

Sent: Monday, April 28, 2025 6:13 PM

To: Summer Benson <sbenson@lftcllp.com>; Climaco, Katelyn <KClimaco@manatt.com>; Stacey Ashby <sma@msf-law.com>; Kevin A. Fritz <kaf@msf-law.com>; Mitch Schuster <ms@msf-law.com>; Amit Shertzer <as@msf-law.com>; Vaneta Birtha <vbirtha@lftcllp.com>; Miles Cooley <mcooley@lftcllp.com>; Cortni Davis <cdavis@lftcllp.com>; Bryan Freedman <bfreedman@lftcllp.com>; Jose Perez <jperez@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>; Kevin A. Fritz <kaf@msf-law.com>

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Subject: Lively v. Wayfarer Studios LLC, et al., No. 1:24-cv-10049-LJL - 4/24 M&C

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Kevin:

Thank you for a productive meet and confer on Thursday. Below is a summary of our conferral and memorialization of the positions taken by the Wayfarer Parties on the call.

Best,

Matt

Objections to the Definition of “You”

With respect to the Requests propounded on corporate Defendants Wayfarer Studios LLC (“Wayfarer”), It Ends With Us Movie LLC (“IEWU”), and The Agency Group PR LLC (“TAG” and, with Wayfarer and IEWU, the “Corporate Defendants”), you confirmed that they will not limit their responses solely to the corporate entities themselves, but instead interpret the definition of “You” to include the Corporate Defendants’ officers, directors, employees, partners, corporate parent, subsidiaries and affiliates, as required by Local Rule 26.3(c)(5). **The Wayfarer Parties agree to comply with Local Rule 26.3(c)(5).**

General, Boilerplate, Objections and Production of Documents “Sufficient to Satisfy” a Request

The Wayfarer Parties agreed that they will not withhold non-privileged documents and information based upon general, boilerplate, objections, and Ms. Lively and Mr. Reynolds agreed to the same. The Wayfarer Parties further agreed that, where the Wayfarer Parties have agreed to produce documents, they will produce *all* responsive, non-privileged documents—they will not unilaterally cabin their production to documents “sufficient to satisfy” the Request at issue. **The Wayfarer Parties will conduct a reasonable search for and produce relevant, non-privileged documents.**

The Wayfarer Parties’ Requests to Meet and Confer – Schedule A to Ms. Lively’s Deficiency Letter

We had requested clarification of the Wayfarer Parties’ position regarding more than 30 Requests detailed in Schedule A to Ms. Lively’s April 15, 2025 letter (“Schedule A”), attached hereto, pursuant to which the Wayfarer Parties indicated only that they were willing to meet and confer. The Wayfarer Parties confirmed that they will conduct a reasonable search for and produce non-privileged documents and information responsive to the Requests identified in Schedule A. **Accordingly, we ask that the Wayfarer Parties amend their responses and objections to reflect their position as to these Requests. The Wayfarer Parties will conduct a reasonable search for and produce relevant, non-privileged documents responsive to the items in Schedule A.**

The Wayfarer Parties’ Refusals to Produce – Schedule B to Ms. Lively’s Deficiency Letter

The Wayfarer Parties withdrew their objections as to Request No. 61 propounded upon Mr. Baldoni, and have agreed to search for and produce all non-privileged documents and information responsive to this request. **Accordingly, we ask that Mr. Baldoni amend his responses and objections to reflect his position as to this Request. The Wayfarer Parties will conduct a reasonable search for and produce relevant, non-privileged documents responsive to Request No. 61.**

The Wayfarer Parties object to Request Nos. 45-48 as to Baldoni, Wayfarer, IEWU, Heath and Sarowitz and Request Nos. 33-36 as to Abel, Nathan, and TAG, on overbreadth and proportionality grounds, and will not search for or produce documents or information responsive to these requests. The Wayfarer Parties further indicated these requests are duplicative of requests made by Ms. Lively that concern the Digital Campaign, which the Wayfarer Parties have agreed to search for and produce non-privileged documents responsive to. **Please specify which Request or Requests you are**

referring to for the proposition that these Requests are duplicative of others. **Requests Nos. 38 – 44.** Additionally, we agreed to consider whether any narrowing or ambiguity is appropriate with respect to these Requests, and will follow up separately.

The Wayfarer Parties object to Request Nos. 58 and 59 as to Baldoni, Heath and Sarowitz, Request Nos. 46 and 47 as to Abel and Nathan, Request Nos. 73 and 74 as to Wayfarer and IEWU, and Request Nos. 49 and 50 as to TAG, based on the scope of the Requests and will not search for or produce documents or information responsive to this request. We requested your legal basis for withholding documents in response to Requests that bear directly on the Wayfarer Parties' alleged damages, including but not limited to alleged compensatory damages of or exceeding \$400M. You stated that the basis for the Wayfarer Parties' damages amount was "scope," but failed to otherwise explain how the "scope" of these Requests justifies your outright refusal to produce any responsive documents. Your response that you "don't know" what documents support the Wayfarer Parties' alleged hundreds of millions of dollars in damages is insufficient to overcome your obligation to produce documents in response to these requests. The financial information sought in these requests is unquestionably relevant to the Wayfarer Parties' defamation, extortion and tortious interference claims against both Ms. Lively and Mr. Reynolds. Accordingly, Ms. Lively and Mr. Reynolds are entitled to understand the financial harm they are alleged to have caused. Indeed, the financial information sought is the exact sort that courts deem relevant in cases such as this. See, e.g., *Sullivan v. Aircraft Servs. Grp., Inc.*, 2021 WL 11703007, at *3 (E.D.N.Y. Nov. 29, 2021) (compelling production of financial statements and tax returns in action alleging intentional interference with contract and with advantageous business relationships). The Requests are also narrowly tailored both in time and in the content sought. **Please advise if the Wayfarer Parties are willing to reconsider their position and will produce the requested information. Your recitation of the conversation is incorrect and incomplete. When asked to explain the relevancy of the categories of documents sought by these Requests, you replied "damages". You failed to explain, because you cannot explain, how documents concerning "net worth" or "liquidation of assets" are relevant to the damages incurred by the Wayfarer Parties. Furthermore, I advised you that the Wayfarer Parties will produce non-privileged documents concerning their damages. I further advised you that, if upon receiving such documents you believed that additional documents should be produced, you should notify us of that position. You agreed that was an acceptable manner of proceeding.**

The Wayfarer Parties object to Request No. 60 propounded upon Mr. Baldoni, and will not search for or produce documents or information responsive to this Request. Request No. 60 seeks information regarding Mr. Baldoni's asserted neurodivergent conditions, which he admits he has communicated about in connection with Ms. Lively's allegations and has relied on to explain his alleged sexual harassment, retaliation, other inappropriate behavior on the set of *It Ends With Us*. (See ECF No. 84 ¶ 188 & n.27; ECF No. 147 ¶ 188.) This information is demonstrably relevant to Ms. Lively's claims, including but not limited to her claims of sexual harassment and retaliation in violation of Title VII, California's Fair Employment and Housing Act and the California Labor Code, and the Wayfarer Parties' argument otherwise, without support, does not relieve them of their obligation to produce responsive, non-privileged documents. It is also relevant to Mr. Baldoni's alleged conduct in influencing the public narrative regarding his conduct on the set of the Film at her expense. **Please advise if the Wayfarer Parties are willing to reconsider their position. . Your recitation of the conversation is incorrect and incomplete. When asked to explain the relevancy of the health-related documents sought by Request No. 60, you replied "It's in the discovery." I then asked you to what discovery you were referring, and at point you realized that (1) no discovery has been exchanged between the parties in this action; and (2) you should not have referred to the discovery that your firm obtained through the New York state court action in which, from our viewpoint, you purposely omitted Lively as the plaintiff (and listed her company Vanzan as the plaintiff) and purposely omitted one or more of the Wayfarer Parties as defendants so that (a) no one would know that Lively had, in essence, commenced a lawsuit and (b) the Wayfarer Parties would not receive notice that Vanzan (i.e. Lively) had served a subpoena. In an effort to retreat from your reference to such discovery, your colleague Michaela then referred to Lively's allegations on page 60 of her Amended Complaint. However, paragraph 188 of page**

60 (which you cite above) purports to quote from a text message that appears to have been obtained by your firm in response to the "Vanzan" subpoena. In other words, both you and Michaela were referring to the same discovery that your obtained without notice to the Wayfarer Parties. If your firm wants to explain to the Court how your firm obtained information concerning Baldoni's purported medical condition and attempt to explain how it is relevant to Lively's claims, we welcome the opportunity to respond thereto.

Matthew F. Bruno
Partner

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From: Bruno, Matthew

Sent: Monday, April 21, 2025 6:48 PM

To: Summer Benson <sbenson@lftcllp.com>; Climaco, Katelyn <KClimaco@manatt.com>; Stacey Ashby <sma@msf-law.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Amit Shertzer <as@msf-law.com>; Vaneta Birtha <vbirtha@lftcllp.com>; Miles Cooley <mcooley@lftcllp.com>; Cortni Davis <cdavis@lftcllp.com>; Bryan Freedman <bfreedman@lftcllp.com>; Jose Perez <jperez@lftcllp.com>; Jason Sunshine <jsunshine@lftcllp.com>; Theresa Troupson <ttroupson@lftcllp.com>

Cc: Hudson, Esra <EHudson@manatt.com>; Roeser, Stephanie <SRoeser@manatt.com>; Gottlieb, Michael <MGottlieb@willkie.com>; Governski, Meryl Conant <MGovernski@willkie.com>; Bender, Kristin <KBender@willkie.com>; Nathan, Aaron E. <ANathan@willkie.com>; Connolly, Michaela <MConnolly@willkie.com>; Taustine, Melissa <MTaustine@willkie.com>; Sigrid McCawley <smccawley@bsfllp.com>; Lindsey Ruff <LRuff@BSFLLP.com>; Andrew Villacastin <AVillacastin@BSFLLP.com>; cbabcock@jw.com; cbutzer@jw.com; jglover@jw.com; katebolger@dwt.com; samcategumpert@dwt.com; Nicholas Inns <nicholasinns@quinnemanuel.com>; maarenchoksi@quinnemanuel.com; kristintahler@quinnemanuel.com; anthony@umklaw.com; matthew@umklaw.com

Subject: RE: Lively v. Wayfarer Studios LLC, et al., No. 1:24-cv-10049-LJL

Thanks, Summer:

Thursday at 2pm (PT) works for us. We will send an invite shortly.

Matt

Matthew F. Bruno
Partner

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From: Summer Benson <sbenson@lftcllp.com>

Sent: Friday, April 18, 2025 5:42 PM

To: Climaco, Katelyn <KClimaco@manatt.com>; Stacey Ashby <sma@msf-law.com>; Local KAF. Counsel <kaf@msf-law.com>; Local MS. Counsel <ms@msf-law.com>; Amit Shertzer <as@msf-law.com>; Vaneta Birtha

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Katelyn,

We are available to meet and confer next week and propose Wednesday, April 23 at 11am PT. Alternatively, we are also available on Thursday, April 24 at 2pm PT. Please let us know if either works for you.

Best,

Summer E. Benson, Esq.
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From: Climaco, Katelyn <KClimaco@manatt.com>

Sent: Tuesday, April 15, 2025 5:39 PM

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Subject: Lively v. Wayfarer Studios LLC, et al., No. 1:24-cv-10049-LJL

Counsel,

Please find attached a deficiency letter concerning the Wayfarer Parties' responses to Ms. Lively's first set of document requests. We are available to meet and confer regarding the issues raised in the letter on Thursday, April 17th and Friday, April 18th. Please let us know your availability on either of those dates so we can coordinate a time.

Best,
Katelyn

Katelyn Climaco
(She/Her/Hers)
Associate

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